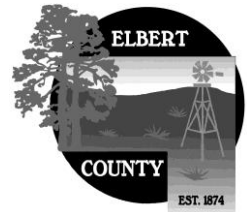




COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES DEPARTMENT

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3135 FAX: 303-621-3165



MINUTES ELBERT COUNTY REGULAR PLANNING COMMISSION MEETING January 20, 2015

Note: These meeting minutes are only a summary of the meeting. Duplications of the audio recording are available, for a fee, by contacting Community & Development Services.

The regular Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Tom Beshore.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commission members present: Tom Beshore, Ron Turner, Rick Brown, Tony Baker, Bob Ware and Daniel Rosales.

Staff present: Kyle Fenner, Director CDS, Carolyn Parkinson, Planner II – Flood Plain Manager; Curtis Carlson, Senior Planner and Faith Mehrer, Office Manager.

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):

A. No land use items to report.

CONSENT CALENDAR:

- a. **Rick Brown moved to approve the meeting minutes from the December 16, 2014 Planning Commission Meeting. Daniel Rosales seconded the motion. Motion carried 6 to 0.**

COMMUNITY INPUT:

PUBLIC HEARINGS:

The Planning Commission members discussed re arranging the order of the agenda items. It was decided that it would be best to first address the amendment to the Elbert County Zoning Regulations Part I, Section II and address the adoption of the Planning Commission Bylaws when that amendment is complete. The Planning Commission did not see a benefit to voting on the bylaws without first knowing how the regulations were going to change.

Kyle Fenner stated that all regulatory language had been removed from the bylaws and where the prior drafts had summarized the ECZR the bylaws now referred directly to the relevant sections instead of restating them. Kyle also pointed out that the bylaws and the ECZR amendment were independent of one another and the bylaws would be unaffected by any changes in the ECZR.

The Planning Commission chose to address the ECZR amendment first.

A. Amendment to Elbert County Zoning Regulations Part I, Section 2; Planning Commission:

- a.** The initial intent was to conduct a workshop for the amendment to the regulations but, because of confusion about which agenda item was to be a workshop, the Planning Commission Members decided to treat it as a public hearing as it had been noticed and therefore was a “properly noticed hearing”. The proposed amendment document itself was given to the Planning Commission members in advance for their review and no staff report was given. Tom Beshore opened the Public Comment portion of the meeting.
- b.** The Planning Commission members discussed the proposed amendment with the audience, at length, giving Kyle Fenner several suggestions for changes.
- c.** Rick Brown moved to continue the meeting: Planning Commission Bylaws and Amendment to the Elbert County Zoning Regulations Part I Section 2 to a date certain of February 3, 2015 at 7:00 PM. Bob Ware seconded the motion. The motion carried 6 to 0.

PUBLIC COMMENTS:

A. Grant Thayer:

- a. This is not a workable document.**
- b. Does not permit the applicant to request an extension.**

- c. Could lead to shenanigans, mischief.
- d. Term Limits are odd but o.k.
- e. No provision for geographical representation.
- f. Wants commission to remain at 9 members.
- g. Believes it would lead to less effective planning commission.
- h. Believes that 60 days is not enough time to be bound to by regulation.
- i. Found the proposal offensive.
- j. PC members should not have to be approved by the BOCC simply appointed by the Board member who nominates them.

In summary, Mr. Thayer commented on the time frame allowable in the regulations for an application to be processed. Having served on the Planning Commission for several years he reminded the current commission of some of the projects that had taken a great deal longer than 30 or 60 days to responsibly make a decision on. He noted several concerns that he had with the regulations including who can request a continuance and when, the requirement for the BOCC to approve a continuance, what role the BOCC has in the Elbert County Master Plan, and the number of Planning Commissioners that should be appointed the board.

- k. In response to Grant Thayer's concerns about the planning commission not having enough time to evaluate applications, Kyle Fenner shared with Mr. Thayer that CDS is working very hard to not present applications to the planning commission that are not ready for hearing. In addition, CDS will not allow an application to move all the way through the public hearing process with mitigatable conditions. Therefore, the applications being presented are ready to evaluate and don't need the same level of planning commission input for "corrections". She reiterated that the 30 day extension, as it is currently proposed does not need approval from the BOCC. The BOCC simply requires that the Chair of the PC contact the Chair of the BOCC to let the BOCC know that the PC is utilizing the 30-day extension.
- B. John Dorman addressed several items, stated that it was a poorly written document but, mainly he focused on two points: the need to include a specific allowance of appointees for each county commissioner (i.e. no need for the board to vote to approve nominees) and the removal the 30-day timeline for a recommendation from the Planning Commission. He also stated that the residency requirements needed to be simplified. John Dorman also submitted his edited version of the document.

- C. Christine Ware asked if the newly elected commissioner felt that there needed to be an amendment to the zoning regulations. She stated that 30 days is not enough time for the Planning Commission to review an application and make a recommendation to the BOCC. Ms. Ware state that she believed that the BOCC should not be involved in the process.
- D. Susan Shick supported the argument that each County Commissioner should appoint 3 Planning Commission Members.
- E. Karen Shipper stated that she had not studied the amendment in detail but that the language for removal of a planning commissioner was "disrespectful", "nasty", "demeaning", "bizarre", "and adversarial". Rick Brown explained to her that the language is necessary and provides protections to commission members against arbitrary removal. He stated that it was discussed at length in a prior meeting and that the Planning Commission members had agreed upon the language. She then said that she was there supporting the Elbert County Republican Women and they support anything that the Planning Commission does. She also stated that because technical writing is her profession that in her opinion this was a very poorly written document.

NEW BUSINESS:

ANNOUNCEMENTS:

- A. Meeting adjourned at 10:24 PM